

**STATEMENT OF  
COMMISSIONER MICHAEL J. COPPS**

Re: *Amendment of the Commission's Ex Parte Rules and Other Procedural Rules*, GC Docket No. 10-31; *Amendment of Certain of the Commission's Part 1 Rules of Practice and Procedure and Part 0 Rules of Commission Organization*, GC Docket No. 10-32.

Reform has clearly come to the FCC. In my first week as Acting Chairman last year, I had the privilege of addressing the Commission staff on the need to revitalize and reenergize the operations of the agency. I said then we must always strive to improve our lines of communication, enhance the level of transparency in our work and bring to our daily decisions the kind of openness that gives true credibility to everything we do. We have made progress. Today's presentation makes that clear, even as it makes clear that we have much more work ahead in many key areas. I want to thank Mary Beth Richards and Austin Schlick for their thoughtful comments, and would particularly like to commend Chairman Genachowski for his focus on the issue and also for his good judgment in designating Mary Beth as Special Counsel on FCC Reform.

Today's two specific Notices of Proposed Rulemaking make an essential down-payment on the broader reform agenda. First, at long last, we launch a proceeding to improve the transparency and effectiveness of our decision-making process by reforming our *ex parte* rules. Sound *ex parte* rules are critical to ensuring that everyone has a fair opportunity to respond to the arguments made or positions set forth in oral communications with the Commission. We all welcome the opportunity for face-to-face meetings with outside experts. That said, we realize that Commission decisions should always rest upon the solid foundation of the public interest—not the interests of lobbyists discussed in closed-door meetings. Too many times we receive *ex parte* filings that simply reference that a meeting took place on a given topic—without remotely approaching a sufficient level of detail on the arguments or data presented to allow the public or interested parties to respond. That is why I am pleased to support proposals to make disclosure more robust in more cases, and to begin aggressively enforcing our *ex parte* rules.

Second, by proposing revisions to certain procedural and organizational rules, we are taking steps to modernize and improve the efficiency of the agency. For example, we propose to delegate authority to the expert Bureaus to dismiss or deny procedurally defective petitions for reconsideration of Commission action. Steps like these can help provide the full Commission with more time and energy to address the many critical issues confronting us.

I would like to thank the staff in the Office of General Counsel and the Office of Managing Director for their work on today's Notices of Proposed Rulemaking. I look forward to working with the Chairman and my colleagues on these and further reforms.

I also want to express my appreciation for efforts in Congress led by Representatives Bart Stupak, Anna Eshoo and Mike Doyle to reform the work of

the agency by proposing to eliminate the statutory prohibition on more than two Commissioners talking together outside a public meeting. My experience tells me very clearly that this bar has had seriously pernicious and unintended consequences—stifling collaborative discussions among colleagues, delaying timely decision-making by the agency, discouraging collegiality and short-changing the public interest. This proposed legislation would constitute as major a reform of Commission procedures as any I can contemplate. Put that together with the work Mary Beth is helping us do and we'd have a record of historic procedural reform here at the FCC.